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**MARCH 19, 2010 TESTIMONY OF  
REGIONAL YOUTH ADULT SOCIAL ACTION PARTNERSHIP  
FOR THE JUDICIARY COMMITTEE  
REGARDING**

**HB 5522: AN ACT CONCERNING JUVENILE MATTERS  
AND  
HB 5521: AN ACT CONCERNING CHILD WELFARE AND THE JUVENILE JUSTICE  
SYSTEM AND ERASURE OF JUVENILE RECORDS**

Senator McDonald, Representative Lawlor, and distinguished members of the Judiciary Committee: This testimony is submitted by Robert Francis, Executive Director of RYASAP, the Regional Youth Adult Social Action Partnership based in Bridgeport. RYASAP works to create healthy communities free of the harm caused by child and adolescent substance abuse, crime and violence, with local and statewide programs in juvenile justice advocacy, youth and young adult leadership development and prevention of adolescent alcohol, tobacco and other drug use through community organizing. RYASAP is the lead agency for the DCF/CSSD local Implementation Service Team for the Bridgeport Juvenile Court and the lead agency for the Bridgeport Juvenile Review Board.

RYASAP supports HB 5522 Sections 7 through 14, the technical and other changes recommended by the Juvenile Jurisdiction Planning and Operations Coordinating Council (JJPOCC) for the effective, continued implementation of "Raise the Age" legislation PA 09-7.

RYASAP supports HB 5521 sections 1 and 4, which address Disproportionate Minority Contact (DMC) in the state's juvenile justice system by (A) requiring a court order for all juvenile detention center admissions and (B) improving and increasing state agency reporting and planning on DMC. RYASAP believes that all young people should be held accountable for their behavior, in a way that is fair and equal – they should be treated the same, regardless of race or ethnicity. These recommendations come directly from the intensive research conducted by Spectrum Associates for the Juvenile Justice Advisory Committee (JJAC), the governor-appointed committee overseeing the distribution and use of federal funds under the Juvenile Justice and Delinquency Prevention Act in Connecticut.

RYASAP supports HB 5521 sections 2 and 3, which provide for automatic erasure and destruction of juvenile records for children convicted on low-level juvenile offenses (i.e., non SJOs) as well as FWSN records, helping individuals and their families transition from system involvement to a positive, productive future. This will prevent the accidental reporting of confidential juvenile delinquency adjudications to ensure that these youth have the opportunity to become contributing members of society, as they apply for jobs, financial aid, enter the military, and so on.

**Juvenile court records are already confidential; however youths can still suffer three types of harm when these records are not erased:**

1. **Required Self-Reporting:** Although youths are not required to disclose juvenile records on applications when asked about a criminal record, a growing number of employers and colleges ask youths about juvenile court involvement.<sup>1</sup>
2. **Accidental Reporting:** Juvenile records can be accidentally reported, causing youth innumerable problems, particularly when private criminal record databases gain access to them, including obstacles in obtaining employment due to these records and difficulties having these records removed from the databases.<sup>2</sup>
3. **“Labeling” Effect:** Research suggests that a youth’s self-perception as a delinquent, as well as others’ perception of the youth as a delinquent, can lead to an increased likelihood of future offending.<sup>3</sup> Expunging juvenile records is one way to help youths shed the label of “delinquent” and minimize the likelihood of future criminal justice involvement.

Thank you for the opportunity to present this testimony. Please let me know if you have any questions or would like additional information.

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<sup>1</sup> See, e.g., Darby Dickerson, *Background Checks in the University Admissions Process: An Overview of Legal and Policy Considerations*, 34 J. OF COLLEGE AND UNIV. LAW, 419, 464 (2008).

<sup>2</sup> See, e.g., Kristin Henning, *ERODING CONFIDENTIALITY IN DELINQUENCY PROCEEDINGS: SHOULD SCHOOLS AND PUBLIC HOUSING AUTHORITIES BE NOTIFIED?*, 79 NYULR 520, 566-567 (2004) noting that schools, employers and public housing authorities have used confidential information about juvenile court involvement to exclude children and their families. See also *Juvenile Records Expungement: a Guide for Defense Attorneys in Pennsylvania*, Juvenile Law Center, 17 (2007) — “Having a juvenile court record, therefore, has long-lasting implications. Many adults who do not expunge their juvenile court record may have difficulty obtaining employment, getting financial aid, getting approved for housing, entering the military, [or] obtaining a driver’s license....”

<sup>3</sup> See, e.g., Anthony Petrosino et al., *Formal System Processing of Juveniles: Effects on Delinquency*, CAMPBELL SYSTEMATIC REVIEWS (2010) at 36; Dick Mendel, *In Juvenile Justice Care, Boys Get Worse*, YOUTH TODAY, February 1, 2010.